REMARKS

Claim Rejections under 35 U.S.C. § 103 (a)

Claims 1-27

The Examiner has rejected claims 1-27 under 35 U.S.C. § 103 (a) as being unpatentable over Katinsky et al. (U.S. Patent 6,452,609).

Applicant respectfully disagrees with the Examiner. Applicant has amended claims 1, 8, 12, 17, and 24. Support is provided in the specification including at paragraphs [0013]-[0014].

Claims 1-7

Claim 1, as amended, of Applicant's claimed invention claims a method comprising: creating a play list based on a user's preferences; connecting a device of the user to a network; submitting the play list to a multimedia content provider through the network; gathering multimedia content specified in the play list; downloading the multimedia content to a multimedia content cache in the device; disconnecting the device from the network; and playing the multimedia content on the device.

In contrast, Katinsky et al. teaches locating and controlling "***streaming content***" from multiple sources "***in real time***" and playing the multimedia content in

an order defined by a play list displayed by a sequencer. See Col. 1, lines 52-55 and Col. 2, lines 46-47, 50, and 53.

Katinsky et al. does not teach connecting a device to a network, downloading content to a cache in the device, disconnecting the device from the network, and playing the content on the device.

Thus, Katinsky et al. fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claim 1, as amended, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

Claims 2-7 are dependent on claim 1, as amended, of Applicant's claimed invention.

Thus, Katinsky et al. also fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claims 2-7, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

In view of the foregoing, Applicant respectfully requests the Examiner to withdraw the rejections under 35 U.S.C. § 103 (a) to claims 1-7.

Claims 8-11

Claim 8, as amended, of Applicant's claimed invention claims a method comprising: connecting occasionally to a device through the Internet; accepting a play list of multimedia files from a user of the device; searching a database for multimedia content according to the play list; processing the multimedia content before the multimedia content is downloaded; and transferring the multimedia content to the device.

In contrast, Katinsky et al. teaches locating and controlling "*streaming content*" from multiple sources "*in real time*" and playing the multimedia content in an order defined by a play list displayed by a sequencer. See Col. 1, lines 52-55 and Col. 2, lines 46-47, 50, and 53.

Katinsky et al. does not teach connecting occasionally to a device through the Internet, processing the content before downloading, and transferring the content to the device.

Thus, Katinsky et al. fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claim 8, as amended, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

Claims 9-11 are dependent on claim 8, as amended, of Applicant's claimed invention.

Thus, Katinsky et al. also fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claims 9-11, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

In view of the foregoing, Applicant respectfully requests the Examiner to withdraw the rejections under 35 U.S.C. § 103 (a) to claims 8-11.

Claims 12-16

Claim 12, as amended, of Applicant's claimed invention claims a system comprising: a play list creator capable of creating a play list of multimedia files; a multimedia content provider capable of providing multimedia files specified by the play list for a user to download; a multimedia content cache capable of receiving the multimedia files through a network while occasionally connected and storing the

multimedia files; and a multimedia content player capable of accessing and rendering the multimedia contents to the user.

In contrast, Katinsky et al. teaches a system that locates and controls "*streaming content*" from multiple sources "*in real time*" and plays the multimedia content in an order defined by a play list displayed by a sequencer. See Col. 1, lines 52-55 and Col. 2, lines 46-47, 50, and 53.

Katinsky et al. does not teach a cache in a system that receives content through a network while occasionally connected.

Thus, Katinsky et al. fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claim 12, as amended, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

Claims 13-16 are dependent on claim 12, as amended, of Applicant's claimed invention.

Thus, Katinsky et al. also fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claims 13-16, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

In view of the foregoing, Applicant respectfully requests the Examiner to withdraw the rejections under 35 U.S.C. § 103 (a) to claims 12-16.

Claims 17-23

Claim 17, as amended, of Applicant's claimed invention claims a article comprising: a machine accessible medium having content stored thereon, wherein when the content is accessed by a processor, the content provides for caching multimedia content to a device by: creating a play list based on preferences of a user

of the device; submitting the play list to a multimedia content provider through a network while the device is occasionally connected; downloading multimedia content in the play list to a device when the device is connected to the multimedia content provider and caching the multimedia content on the device; and playing the cached multimedia content while the device is not connected to the multimedia content provider.

In contrast, Katinsky et al. teaches a system that locates and controls "***streaming content***" from multiple sources "***in real time***" and plays the multimedia content in an order defined by a play list displayed by a sequencer. See Col. 1, lines 52-55 and Col. 2, lines 46-47, 50, and 53.

Katinsky et al. does not teach caching content on a device and playing the cached content while the device is not connected to the content provider through a network.

Thus, Katinsky et al. fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claim 17, as amended, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

Claims 18-23 are dependent on claim 17, as amended, of Applicant's claimed invention.

Thus, Katinsky et al. also fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claims 18-23, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

In view of the foregoing, Applicant respectfully requests the Examiner to withdraw the rejections under 35 U.S.C. § 103 (a) to claims 17-23.

Claims 24-27

Claim 24, as amended, of Applicant's claimed invention claims an article comprising: a machine accessible medium having content stored thereon, wherein when the content is accessed by a processor, the content provides for distributing multimedia files by: accepting a play list of multimedia files; searching a database for multimedia content according to the play list; processing the multimedia content before the multimedia content is downloaded; and transferring the multimedia content to an occasionally-connected device while connected.

In contrast, Katinsky et al. teaches a system that locates and controls "*streaming content*" from multiple sources "*in real time*" and plays the multimedia content in an order defined by a play list displayed by a sequencer. See Col. 1, lines 52-55 and Col. 2, lines 46-47, 50, and 53.

Katinsky et al. does not teach processing content before downloading the content, and transferring the content to an occasionally-connected device while connected.

Thus, Katinsky et al. fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claim 24, as amended, at the time the invention was made, to one of ordinary skill in the art of multimedia content.

Claims 25-27 are dependent on claim 24, as amended, of Applicant's claimed invention.

Thus, Katinsky et al. also fails to teach, suggest, or render obvious Applicant's claimed invention, as claimed in claims 25-27 at the time the invention was made, to one of ordinary skill in the art of multimedia content.

In view of the foregoing, Applicant respectfully requests the Examiner to withdraw the rejections under 35 U.S.C. § 103 (a) to claims 24-27

Conclusion

Applicant believes that all claims pending, including claims 1-27, are now in condition for allowance so such action is earnestly solicited at the earliest possible date.

Pursuant to 37 C.F.R. § 1.136 (a) (3), Applicant hereby requests and authorizes the U.S. Patent and Trademark Office to treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time.

Should there be any additional charge or fee, including extension of time fees and fees under 37 C.F.R. § 1.16 and § 1.17, please charge Deposit Account No. 50-0221.

If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact the undersigned at (408) 653-7897.

Respectfully submitted,
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Dated: ____July 20___, 2008

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